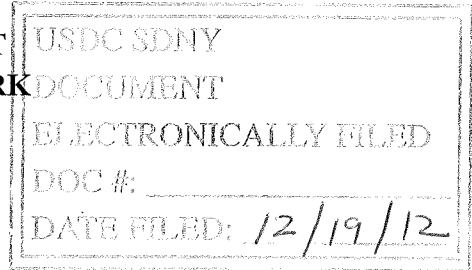


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



EASTMAN KODAK COMPANY,

Plaintiff,

v.

RICOH COMPANY, LTD.

Defendant.

Civil Action No. 12-CV-3109 (DLC)

~~PROPOSED~~ ORDER FOR COMMISSION FOR DEPOSITIONS IN JAPAN

TO ANY CONSUL OR VICE CONSUL OF THE UNITED STATES EMBASSY,  
TOKYO, JAPAN

Upon application of Plaintiff Eastman Kodak Company ("Kodak") and Defendant Ricoh Company, Ltd. ("Ricoh") and pursuant to Article 17 of the United States – Japan Consular Convention, it is hereby

ORDERED that the depositions on notice, of the following witnesses, as well as other fact or corporate representatives of Ricoh or Kodak that may be identified, all of whom will appear voluntarily, be taken, and the marking of any documentary exhibits in connection therewith be completed, at the U.S. Embassy in Tokyo Japan:

Kiyoshi Kawano

Toshiyuki Kitazawa

Ko Torigoe

Kazumichi Eguchi

Shinobu Fujiki

Toshitaka Koike

Eisaku Nagaishi

Takashi Shinoda

Atsuzo Tomii

Fumio Urano

Akihiro Arai

Tohru Ushida

Masataka Tsuruta

Yusuke Kojima

Yasushi Ide

Pursuant to Federal Rule of Civil Procedure 28(b)(1)(D), any Consul or Vice Consul of the United States at Tokyo, Japan is hereby commissioned to administer any necessary oath and allow the taking of testimony from the witnesses.

It is further ORDERED that the depositions of these individuals/representatives commence on or about January 22, 2012 at 8:30 AM, and continue from day to day until on or about February 1, 2012 at 5:00 PM, and again commence on or about February 19, 2012 at 8:30 AM and continue from day to day until on or about March 8, 2012 at 5:00 PM.

Counsel for Kodak who may participate in said depositions are:

Michael J. Summersgill

Daniel M. Esrick

Marissa A. Lalli

WILMER CUTLER PICKERING HALE & DORR LLP

60 State Street

Boston, Massachusetts 02109

Tel: (617) 526-6000

Fax: (617) 526-5000

michael.summersgill@wilmerhale.com

daniel.esrick@wilmerhale.com

marissa.lalli@wilmerhale.com

Arianna Evers  
WILMER CUTLER PICKERING HALE & DORR LLP  
1875 Pennsylvania Ave. NW  
Washington, D.C. 20006  
Tel: (202) 663-6122  
Fax: (202) 663-5414  
arianna.evers@wilmerhale.com

Counsel for Ricoh who may participate in said depositions are:

Patricia A. Martone  
Jayson Leonard Cohen  
Jarod G. Taylor  
Benjamin Smiley  
Morrison & Foerster LLP  
1290 Avenue of the Americas  
New York, NY 10104  
(212) 468-8000  
pmartone@mofo.com  
jcohen@mofo.com  
jarodtaylor@mofo.com  
bsmiley@mofo.com

A. Max Olson  
Yukiko Horiguchi  
Morrison & Foerster LLP  
Shin – Marunouchi Bldg 29<sup>th</sup> Fl  
1-5-1 Marunouchi, Chiyoda-ku  
Tokyo 100-6529  
JAPAN  
(81) 3214-6522  
aolson@mofo.com  
yhoriguchi@mofo.com

Peter Stern  
Morrison & Foerster LLP  
425 Market Street  
San Francisco, California 94105-2482  
(415) 268-6250  
psterne@mofo.com

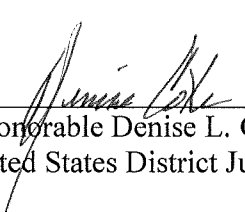
The proceedings will be reported and/or videotaped by Karen Claire Young , Cynthia  
Renee Ott, Robert Vance Short, Leslie Anne Todd, Susan Dena Wasilewski, Melanie Louise

Giamarco, Deborah Ruth Marshall, Lisa A. Knight, Tracy LoCastro, James Vernon Beasley, Jodi Beth Harmon and/or Peter Au with Planet Depos-American Realtime Court Reporters. Jared Taylor and/or Toyu Yazaki will act as interpreter or check-interpreter on behalf of Kodak, and Naomi Tsuji, Grace Liu, and/or Hanako Kaku will act as interpreter or check-interpreter on behalf of Ricoh. Additionally, the following individuals may provide support services to Ricoh during the depositions: Chiharu Tsuyukubo; Michiko Nagahari; and Kumiko Tanaka. Moreover, the following Ricoh employees may attend the depositions as appropriate under the Protective Order in this action: Yukihiro Kajita; Teruhiro Tadokoro; Hideyuki Nakayama; and Reika Kaneko.

Please cause the testimony of said witnesses to be recorded by video and reduced to writing; the deposition signed by said witnesses; said deposition testimony to be annexed to your Commission and closed under your seal; and these materials to be returned to this Court with all convenient speed. Alternatively, the parties may agree in writing to have the transcripts prepared and distributed among the parties by the court reporter without further Consulate or judicial involvement.

SO ORDERED.

DATED: *December 18, 2012*

  
\_\_\_\_\_  
The Honorable Denise L. Cote  
United States District Judge